

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Ghaus Malik v Shakeeb Salamy**
Docket No. **259484**
L.C. No. **2002-046022-CH**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The claim of appeal, the motion for immediate consideration, the motion to vacate order for lack of trial court jurisdiction, the motion to waive transcript, and the motion for leave to file reply brief are DISMISSED for lack of jurisdiction because the December 1, 2004 judgment was not a final order at the time that the claim was filed. If an appellant files a motion for a new trial, a judgment notwithstanding the verdict, reconsideration, rehearing, or similar postjudgment relief within 21 days of the entry of a final order, the finality of the order is suspended to give the trial court the jurisdiction to decide the postjudgment motion. See MCR 7.208(A). An appeal as of right may then be claimed from the final order within 21 days after entry of the order denying the motion. See MCR 7.204(A)(1)(b).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 10 2005

Date

Sandra Schultz Mengel
Chief Clerk